

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

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Michael C. Burt

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Case No. 09-36136-KRH  
Chapter 13

DEBTOR'S ANSWER TO KOMATSU FINANCIAL LIMITED  
PARTNERSHIP'S OBJECTION TO CONFIRMATION  
OF CHAPTER 13 PLAN

Now comes the Debtor in this matter, by counsel, and as and for his answer to the Objection of Komatosu Financial Limited Partnership's (hereinafter "Komatosu") confirmation of Debtor's Chapter 13 Plan filed on November 16, 2008, says as follows:

1. That he denies the allegations contained in paragraph's 7, 9, 10, 11, 12, 13, 14, 15 and asks for strict proof thereof.
2. That the details regarding the two contracts with Komatosu are as follows:
  - a. Contract 777-0028459-000 was for a principal balance of \$131,957.15 with a finance charge of \$15,107.65 for a total of \$147,064.80 payable in 60 installments of \$2,451.00 each.
  - b. Contract 777-0028459-001 was for a principal balance of \$53,670.45 with a finance charge of \$6,144.75 for a total of \$59,815.20 payable in 60 installments of \$996.92 each.
  - c. That both contracts are believed to be computed on the Rule of 78's.
  - d. Based upon received Debtor's best information is that the entire balance inclusive of interest at the time of filing his petition was \$128,000.00.
  - e. Debtor has been unable to obtain the current principal balance on the accounts and asserts that since interest is already included in the balance on the account that Komatosu is being provided interest.

WHEREFORE, Debtor respectfully moves the Court that the Objection to Confirmation to his Chapter 13 Plan be denied.

Respectfully submitted:  
Michael C. Burt

BY: /s/ Linda D. Jennings  
Linda D. Jennings, Counsel

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Certificate of Service

I certify that on the 20th day of November, 2009, a copy of the foregoing Answer was delivered by first class mail, postage prepaid, via e-mail or fax to the following parties:

Lori M. Scott,  
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901 E. Cary Street  
Richmond, VA 23219

/s/ Linda D. Jennings  
Linda D. Jennings